

**To:** Weekley, Erin[weekley.erin@epa.gov]  
**From:** Hoefer, David  
**Sent:** Tue 6/3/2014 3:26:27 PM  
**Subject:** FW: Missouri AG Press Release: Actions at Bridgeton and West Lake Landfills

**From:** Tapia, Cecilia  
**Sent:** Tuesday, June 03, 2014 10:21 AM  
**To:** Field, Jeff; Gravatt, Dan; Jefferson, Matthew; Hoefer, David  
**Cc:** Jackson, Robert W.; Hayes, Scott; Robichaud, Jeffery  
**Subject:** Fw: Missouri AG Press Release: Actions at Bridgeton and West Lake Landfills

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**From:** Whitley, Christopher  
**Sent:** Tuesday, June 3, 2014 10:13:24 AM  
**To:** Brooks, Karl; Hague, Mark; Tapia, Cecilia; Carey, Curtis; Peterson, Mary; Washburn, Ben  
**Subject:** Missouri AG Press Release: Actions at Bridgeton and West Lake Landfills

## **Attorney General's News Release**

*June 2, 2014*

### **AG Koster announces action on Bridgeton and Westlake Landfills following detection of benzene gas**

**Jefferson City, Mo.** – Attorney General Chris Koster made the following statement following the detection of benzene gas at the Bridgeton Landfill on Saturday, May 31:

"The release of benzene by Republic into the environment at the Bridgeton Landfill is unacceptable. Despite the order Republic agreed to more than a year ago, the company still does not appear to have the situation under control. My office is asking the court to compel Republic to take additional steps to prevent any such future release of hazardous material into the air."

On Saturday, a Missouri Department of Natural Resources on-site inspector detected elevated levels of benzene at the landfill's perimeter substantially in excess of site-specific standards established by the Missouri Department of Health.

#### **Attorney General Koster demands additional remedial measures by Republic Services to protect public health and the environment**

In a filing in St. Louis County Circuit Court, Koster is seeking a preliminary injunction for more aggressive landfill management by Republic, as well as additional reimbursement to the state of Missouri for its monitoring of the site. Specifically, Koster asks the court to order:

- Instillation of additional control systems to prevent hazardous substances, such as benzene, from entering the air around the site;
- Additional comprehensive air sampling for hazardous substances, including benzene and other volatile organic compounds;
- Additional odor-control measures; and
- Enhanced monitoring of the slope and stability of the landfill itself.

Koster also asked the court to order Republic to reimburse the state an additional \$315,000 for site monitoring expenses. Previously, Republic agreed to reimburse the state for costs associated with oversight of the landfill, up to \$900,000. However, the state's costs associated with monitoring the landfill have thus far exceeded \$1.2 million.

The state's demand for additional cost recovery under the Agreed Order does not affect future demands for damages and penalties expected to be a part of the underlying pending lawsuit against Republic. Koster said he expects the court to take up the state's latest demands of Republic at a scheduled hearing on June 19.

#### **Attorney General Koster demands EPA and Army Corps of Engineers produce raw data for radiological testing conducted on haul routes**

Recognizing that potential threats to public safety may extend beyond the boundaries of the Westlake site, Koster today also submitted a Freedom of Information Act (FOIA) request with the EPA and the U.S. Army Corps of Engineers (Army Corps) demanding raw sampling data and results from previous radiological testing along roadways leading to the Westlake Landfill.

On April 29, Koster called upon the EPA to test for radiological contamination along certain roadways leading to the Westlake Landfill, focusing specifically on routes used during the 1970s to haul radiological material from the Latty Avenue storage facility to Westlake. The EPA has declined to conduct new testing, stating as its rationale that similar sampling was conducted prior to 2005.

In response, Koster demanded that EPA and the Army Corps share the raw data with the State of Missouri; however, both agencies have indicated they are now having difficulty locating the data. Koster's FOIA request is a formal demand that such data be immediately found and produced.

#### **Court filing**

#### **Freedom of Information Act request**